

**TILLAMOOK CITY COUNCIL MEETING
TUESDAY, FEBRUARY 16, 2010
CITY HALL, 210 LAUREL AVENUE**

CALL TO ORDER/FLAG SALUTE:

Mayor McPheeters called the regular City Council meeting to order at 7:30 P.M. and the Pledge of Allegiance was led by Councilor Decker.

ROLL CALL:

Those present for roll call:

Mayor Bob McPheeters
Councilor Joe Martin
Councilor Carolyn Decker
Councilor Suzanne Weber
Councilor John Sandusky
Councilor Willard Berry

Absent:

Councilor Steven Forster (excused)

Staff Present:

Mark Gervasi, City Manager
John Putman, City Attorney
Jon Williams, Street Dept. Supervisor
Bernadette Sorensen, City Recorder

AGENDA:

The posted agenda for the meeting of February 16, 2010 is attached and by this reference is made a part of the record.

ADDITIONAL INFORMATION PROVIDED TO MEMBERS AFTER PACKET ISSUED:

(Copies attached)

1. Voucher Register for current bills to be reviewed for payment.
2. Minutes of January 19, 2010. (Exhibit A)
3. Have a Cow project pictures. (Exhibit B)
4. Priority Street Fixes list amending e-mail sent to Councilor Martin and Berry and Street Dept. Supervisor Williams dated February 12, 2010. (Exhibit C)

MINUTES:

Council minutes for January 19, 2010 (Exhibit A) were available at this meeting. **Councilor Sandusky moved approval of the minutes as prepared. Councilor Weber seconded the motion. Motion carried unanimously by Council seated.**

PRESENTATION: **Have a Cow Project – Dave Lindstrom**

Dave Lindstrom introduced Matt Mumford and Jenny Wyss, art teacher at Tillamook High School.

**Tillamook City Council Meeting
February 16, 2010**

Lindstrom updated the Council on the project. He showed the Council recent pictures (Exhibit B) of what the benches would look like but told Council the finish would be smoother than represented on the pictures. **Wyss** explained the design the students came up with. The artist would be responsible to maintain the bench for the first year. During that first year they would hope that students would volunteer to take care of the “cows” at the three locations. At this time there is no written agreement regarding the maintenance except with the artist for the first year. **Councilor Sandusky moved to approve the drawing submitted and for them to move ahead with the project. Councilor Martin seconded the motion. Motion carried unanimously by Council seated.**

MONTHLY REPORTS:

City Recorder:

- **Sorensen** updated the Council on her attendance at the CIS insurance conference.
- Beautification nomination forms have been distributed to the Council.
- **Councilor Berry** asked when the audit report would be given. **Sorensen** said that there were a few outstanding items. She expects to hear back and set a date for their presentation shortly.

PUBLIC HEARINGS:

1. CITIZEN HEARINGS - NON-AGENDA ITEMS: None.

2. COUNCIL CONCERNS - NON-AGENDA ITEMS:

Councilor Berry referenced a newspaper article written by an individual business person who could not park downtown to patronize other businesses. He said the problem should be rectified. **Gervasi** responded that employees and employers are not allowed to park in the downtown parking district while working. If an individual wants to shop they could let the police department know ahead of time and get a permit to put in their car. **Attorney Putman** stated that language would be difficult to address this particular issue. Enforcement is always more difficult. **Councilor Weber**, as a prior downtown business owner, explained the necessity of the ordinance.

Councilor Martin said there is a place on 5th and Grove that needs to be looked at. He thinks there is someone living in an old abandoned trailer.

Councilor Weber said she received a telephone call complimenting Councilor Berry about taking away parking near the hospital as it made it much easier to see in that area.

Councilor Berry mentioned he had reviewed the contract for the BBQ business and felt that several things were missing. The property description should have a physical address as well as a legal description. It should also have a date by where the mayor signs.

PERMITS & LICENSES: Fei Ying – OLCC permit

Sorensen said the applicant was not present tonight due to the fact that it was a corporation name change only and did not affect their type of license, location, or owner. **Councilor Sandusky moved approval of the OLCC application for Fei Ying Restaurant for corporate name change. Councilor Martin seconded the motion. Motion carried unanimously by Council seated.**

BEAUTIFICATION/PROPERTY IMPROVEMENT NOMINATIONS:

None.

COMMITTEE REPORTS:

Personnel Committee: None.

Beautification Committee: None.

Finance Committee: None.

Public Safety Committee: None.

Public Works Committee: Councilor Berry announced that the Committee met last Thursday to review the streets that needed to be worked on. The committee is submitting several for the Council's consideration. (See Exhibit C) Street Supervisor Williams answered questions and explained costs and repairs. **Councilor Sandusky moved for Council to approve the list of projects starting with the 6th Street project and the rest as money allows.** Councilor Weber seconded the motion. Motion carried unanimously as Council seated. The next committee meeting will be at 2 p.m. on March 4th at City Hall.

OLD BUSINESS:

2009-2010 Strategic Plan Update

City Manager Gervasi updated the Council with the accomplishments of the 2009-2010 Strategic Plan. On the plan 22 projects have been completed. Eleven projects are on-going and would be moved to the 2010-2011 plan. He suggested a workshop to review the new plan on March 1, 2010 at 5:00 p.m. There will also be a workshop that night beginning at 6 p.m. with City engineers on the WWTP project.

NEW BUSINESS:

- **Letter of Resignation from Planning Commissioner Howard Harrison.** Letter of resignation from Harrison stated that he would be willing to delay his resignation until July 2010 or earlier if a replacement could be found. Planning Commission terms begin on March 1st. **Council agreed to take no action on this letter of resignation at this time.**
- **Reappointment of Planning Commission member Charlotte Phillips.** Councilor Weber moved to appoint Charlotte Phillips to the Planning Commission for the continuing 4-year term. Councilor Berry seconded the motion. Motion carried unanimously by Council seated.
- **Approval of 3rd Street Improvement Project concept.** Gervasi explained the Memorandum of Understanding for improvement on 3rd Street from Pine Avenue to Wilson River Loop. Improvement means paving 3rd Street, installing sidewalks on both sides and fixing drainage problems. **Tillamook County Commissioner Labhart** explained the proposal to the Council. The estimated cost (compiled by Liane Welch, Tillamook County Public Works Director) for the engineering and design is \$175,000. Tillamook County would contribute \$11,000 (received by Tillamook County from Tillamook Bay Community College) for improvements abutting the college; Urban Renewal Agency would contribute \$164,000. The County and City would work together to develop the Engineer/Design Scope of Work contract to include City Standards. Tillamook County would contract the Engineering and Design Contract and administer the contract. Once the contract is complete, it is a Shovel Ready Project awaiting bidding and would be put on the shelf and await a second round of Stimulus (ARRA) funding. If a second round is approved by Congress Tillamook County would receive approximately \$600,000. Tillamook County would go out to bid and administer the 3rd Street improvements contract using all of the county's \$600,000 of ARRA funding. Following completion of the 3rd Street Improvements the County would turn over this county road inside the city limits of Tillamook to the City for their ownership. **Don Hurd**, Chairman of the Tillamook Urban Renewal Agency spoke in favor of the project. The board unanimously voted to commit the money for the engineering.

Councilor Sandusky moved that the Council approve the Third Street from Pine Avenue to Wilson River Loop project in concept and commit to becoming partners in it when the right paperwork is available for us. Councilor Weber seconded the motion. Under discussion **Councilor Berry** commented about the high cost of engineering. Commissioner Labhart said that was attributed to the major drainage problems. Berry also said that the \$11,000 from the college should be used immediately to fix the roads they tore up during their construction. **Labhart** said small patches of repair could be done. **City Attorney Putman** stated that the matter of repair should be addressed to the County Commissioners but now the Council should decide whether or not the project is something the Council wants to proceed with. **Councilor Weber** said she recalled at the workshop that Welch addressed the issue and said it would be patched until something else happened. **There being no further discussion the motion passed unanimously by Council seated.**

- **Tillamook Bay Child Care Center Lease Proposal.** Gervasi asked to set a Public Works Committee meeting including representatives from CARE and Head Start to review the lease. Meeting was set for March 4, 2010 at 2 p.m. The meeting may include a site visit.
- **2010-2013 State-wide Transportation Improvement Program Draft.** Gervasi said he was letting Council know that a copy is available at City Hall for any of the Council to review.

LEGISLATIVE

1. ORDINANCE RENAMING MARINE PARK TO SUE H. ELMORE PARK – FIRST READING

Councilor Martin moved for the first reading of the ordinance renaming Marine Park to Sue H. Elmore Park by title only. Councilor Berry seconded the motion. Motion carried unanimously by Council seated. Sorensen read the ordinance by title only. Mayor McPheeters announced the second reading of the ordinance would be on March 1, 2010.

2. RESOLUTION AUTHORIZING WAIVER OF CERTAIN REQUIREMENTS TO THE TILLAMOOK FARMERS' MARKET AND APPROVAL OF CERTAIN USES DURING THE FARMERS' MARKET SEASON

Gervasi said that Council asked for some research on the question of product liability (Section 4) of the resolution. Administrative Assistant Debbi Reeves contacted the City's insurance carrier who responded that the City is doing their due diligence to protect themselves from litigation by requiring the City to be named as co-insured on the Farmer's Market insurance policy.

Councilor Sandusky moved to approve the resolution authorizing the waiver of certain requirements to the Tillamook Farmer's Market and approval of certain uses during the Farmer's Market season. Councilor Weber seconded the motion. Motion passed unanimously by Council seated.

STAFF COMMUNICATIONS/CORRESPONDENCE/DISCUSSION:

Gervasi told Council that the brochure from Community Action Team (CAT) Housing Rehabilitation was for informational purposes only. Additional brochures are available for the public in the City Hall lobby. Councilor Decker encouraged anyone with a need to have a roof or foundation repaired or heating system fixed but cannot afford it should look into this program.

Councilor Weber asked if Mr. Randall could benefit from anything CAT could offer. Gervasi responded that they are working with Mr. Randall. They have received the elevation certificate which was sent to FEMA. We have received two bids for the elevation of the Randall house.

**Tillamook City Council Meeting
February 16, 2010**

MAYOR'S REPORT:

Mayor McPheeters said he attended an Economic Development meeting today. One of the presentations was on the bio-mass process and available tax credits.

OTHER:

City Attorney Putman updated the Council on the Transit Center lease agreement. Proposed language changes have been agreed to by the other side.

AUTHORIZATION TO PAY BILLS:

The Finance Committee had reviewed the current bills prepared for payment. **Councilor Martin moved to pay the bills approved by the Committee. A second was made by Councilor Weber. Council seated approved the motion unanimously.** Bills were paid in the following total amount. A copy of the voucher register is attached and by this reference is made a part of the record.

GENERAL CHECKING ACCOUNT

A/P Batch 02/16/2010

Checks #27746-27816

\$ 182,181.57

ADJOURNMENT:

There being no further business Mayor McPheeters adjourned the meeting at 8:50 P.M.

APPROVED:

Mayor

ATTEST:

City Recorder